

Appl. No. 10/016,532  
Response dated November 5, 2003  
Reply to Restriction Requirement of October 31, 2003

3763 #4  
Election  
S. Buyer  
11/18/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: George J. Picha, et al.  
Serial No.: 10/016,532  
Filed: December 10, 2001  
Title: GASTROSTOMY DEVICE PACKAGE AND METHOD OF  
ASSEMBLY  
Examiner: Loan H. Thanh  
Art Unit: 3763  
Docket No.: 29462

RESPONSE AND ELECTION  
(In response to Paper No. 3)

Mail Stop Non Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Va. 22313-1450

Sir:

This communication is filed in response to the Office action dated October 31, 2003. The one month period for responding to the Office action expires on November 31, 2003.

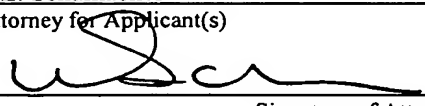
**RECEIVED**  
**NOV 14 2003**

TECHNOLOGY CENTER R3700

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Non Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Va. 22313-1450 on the date indicated below.

Una L. Schumacher  
Name of Attorney for Applicant(s)

11/5/03  
Date

  
Signature of Attorney

Appl. No. 10/016,532  
Response dated November 5, 2003  
Reply to Restriction Requirement of October 31, 2003

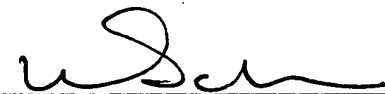
The Examiner has required the election of a single species for prosecution on the merits. In compliance with the requirement, applicant elects to proceed with the prosecution of the species of Group I (drawn to a percutaneous gastrostomy device), Species 1 (figs. 1-4a) which includes claims 1-6, 8-9, and 16-17.

Applicant respectfully submits that claims 1 and 2 are generic to each of the species embodied in claims 7 and 10-15, each of which depend from either claim 1 or claim 2. Thus, if claims 1 and/or 2 are allowed, each of its dependent non-elected claims will also be allowable. (MPEP Section 806.04(d).)

Applicant also reserves the right to rejoin process claims 18-20, in accordance with MPEP Section 821.04, if product claims 1 and/or 2 are allowed.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 29462.

Respectfully submitted,  
PEARNE & GORDON LLP

By:   
Una L. Schumacher, Reg. No. 48,998

1801 East 9<sup>th</sup> Street  
Suite 1200  
Cleveland, Ohio 44114-3108  
(216) 579-1700

Date: November 5, 2003